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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,040	07/27/2000	Tadayoshi Nakanishi	30804.800US01	9557

7590

03/03/2003

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EXAMINER
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CONE, DARIUS N

ART UNIT	PAPER NUMBER
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2854

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DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/626,040

Applicant(s)

NAKANISHI, TADAYOSHI

Examiner

Darius N. Cone

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-14 and 16-22 is/are rejected.
- 7) ☒ Claim(s) 9 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/27/00 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 5 and 17 are objected to because of the following informalities: The word claiming in line 1 of claims 5 and 17 is believed to be the word clamping.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 7,8, 12-14, 21 and 22 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant claims a smoothing device which has no structural correlation to the claimed system for printing an oversized image. For example, the claims are incomplete since the language of the claims does not set forth sufficient structure to define how the claimed smoothing device operates. For example it appears it is critical that the fame be hollow to permit the smoothing device to operate. However, this critical feature has not been claimed.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Ford (US pat # 5,937,749).

With respect to claims 1, Ford teaches a transportation system having a pair of parallel tracks 2, printing stations (see Figs 11A-C), an unloading station and delivery station 15 and platform 14 sized to receive an oversized print substrate 25, wherein the platform resides on the track and where the printing station, unloading station and delivery station are coupled together by the track and wherein the print head is configured to print in a direction perpendicular to the translational motion of the print substrate 25.

With respect to claim 2, Ford teaches print substrate 25, which can comprise of a plurality of smaller segments being printed upon.

With respect to claim 3, Ford teaches loading station 14 wherein the print station comprises a stationary platform (see Figs. 5A, 5C).

5. Claims 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kruchko (US pat # 5,389,476).

With respect to claims 10 and 11, Kruchko teaches receiving an image from a computer 22 using an image scanner 26, which performs editing and adjusting of the printing parameters for the image during scanning before converting the image into a digitized image 28. The image 28 is enlarged then divided into sections, comprising a plurality of smaller printing segments to be spliced together using registration marks 34

to form lines in proximity to joints for cutting. The entire image can be printed in a commercially available printing press, which allows for reproduction of life-size figures, which are larger than the maximum size of the printing press (see col. 3, lines 54-67; col. 4, lines 5-60).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ford (US pat # 5,937,749) in view of Zelko (US pat # 5,887,519).

With respect to claims 4 and 5, Ford teaches all that is claimed as discussed in the above rejection of claims 1 and 3, except for a clamping device and an expandable member, wherein the clamping device is coupled to the expandable member and configured to be releasably coupled to the print substrate. Zelko teaches clamp 62 being pressed into engagement with rail 44 so as to thereby clamp the reinforcement rail between the clamp 62 and support bar 54, thus forming parts of a clamping device for clamping engagement with printing screen 28, which encompasses platen 12 extending through six printing stations 26. Zelko also teaches the position of screen 28 can be manually adjusted by adjustment support bar 54 and its alignment pin 56. Elements 54 and 56 are therefore the claimed "expandable member." It would be

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obvious to one ordinary skilled in the art to provide a clamping device to ensure that each platen is accurately located in positions during each printing operation for accurate printing at successive printing stations (see col. 4, lines 60-67; col. 5, lines 5-10).

With respect to claim 6, Ford teaches all that is claimed as discussed in the above rejection of claims 1 and 3, except for a motor configured to linearly translate the platform along the track. Zelko teaches platens 12 which, in operation of the screen-printing machine 10, are driven around a horizontal endless path means of a drive chain 14 and a pair of sprockets by a servomotor 15. It would be obvious to provide a motor for driving printing platens along an endless horizontal path extending through successive printing stations to compensate for friction taught in prior art machines when each platen is simultaneously pushed (see col. 3, lines 41-46).

8. Claims 19 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Kruchko (US pat # 5,389,476) in view of Ford (US pat # 5,937,749).

Kruchko teaches all that is claimed as discussed in the above rejection of claims 10 and 11, except for a transportation system, a printing station, and an unloading and delivery station and a platform. Ford teaches a transportation system having a pair of parallel tracks 2, printing stations (see Figs 11A-C), an unloading station and delivery station 15 and platform 14 sized to receive an oversized print substrate 25, wherein the platform resides on the track and where the printing station, unloading station and delivery station are coupled together by the track. It would be obvious to one ordinary

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skilled in the art to modify Kruchko to include the printing system of Ford, which is modular and easily assembled and disassembled.

With respect to claim 20, Kruchko teaches coupling smaller segments of an image together into a larger single substrate (see col. 4, lines 28-31).

***Allowable Subject Matter***

Claims 9 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 9 and 15 have been indicated for allowance because the prior art fails to teach a platform with a hollow frame, wherein the horizontal bed is sized to pass through the hollow frame when the horizontal bed is elevated.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darius N. Cone whose telephone number is (703) 308-1061. The examiner can normally be reached on 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-0725 for regular communications and for After Final communications.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

DNC

February 24, 2003



ANDREW H. HIRSHFELD  
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